

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CV-109-D

CHRISTOPHER EUGENE BUCKNER,

Plaintiff,

v.

UNITED PARCEL SERVICE, INC.,

Defendant.

ORDER

Christopher Eugene Buckner (“Buckner” or “plaintiff”) repeatedly has sued United Parcel Service, Inc. (“UPS” or “defendant”) and lost. See Buckner v. United Parcel Serv., Inc., No. 5:17-CV-417-BO, 2017 WL 5012584 (E.D.N.C. Nov. 1, 2017) (unpublished) (“Buckner IV”); Buckner v. United Parcel Serv., Inc., No. 5:16-CV-644-D, 2016 WL 6477048 (E.D.N.C. Oct. 6, 2016) (unpublished) (“Buckner III”), aff’d, 690 F. App’x 842 (4th Cir. 2017) (per curiam) (unpublished); Buckner v. United Parcel Serv., Inc., No. 5:14-CV-539-FL, 2015 WL 5603369 (E.D.N.C. Sept. 23, 2015) (unpublished), aff’d, 641 F. App’x 262 (4th Cir. 2016) (per curiam) (unpublished); Buckner v. United Parcel Serv., Inc., No. 5:09-CV-411-BR, 2012 WL 1596726 (E.D.N.C. May 7, 2012) (unpublished), aff’d, 489 F. App’x 709 (4th Cir. 2012) (per curiam) (unpublished), cert. denied, 571 U.S. 819 (2013). In light of Buckner III and Buckner IV, claim preclusion bars Buckner’s action. See, e.g., Montana v. United States, 440 U.S. 147, 153–55 (1979); Pueschel v. United States, 369 F.3d 345, 354–55 (4th Cir. 2004); Pittston Co. v. United States, 199 F.3d 694, 704–05 (4th Cir. 1999); Meekins v. United Transp. Union, 946 F.2d 1054, 1057–58 (4th Cir. 1991); United States v. Tatum, 943 F.2d 370, 381–82 (4th Cir. 1991); Keith v. Aldridge, 900 F.2d 736, 739–40 (4th Cir. 1990); Peugeot Motors of Am., Inc. v. E. Auto Distribs., Inc., 892 F.2d 355, 359–60 (4th Cir. 1989); Shoup v. Bell & Howell Co., 872 F.2d 1178, 1181–82 (4th Cir. 1989). Alternatively, for the

additional reasons set forth in UPS's memorandum of law in support of its motion to dismiss [D.E. 26-1] and UPS's reply brief [D.E. 29], the court dismisses Buckner's action.

In sum, the court GRANTS UPS's motion to dismiss [D.E. 26] and DISMISSES with prejudice Buckner's amended complaint [D.E. 16]. The clerk shall close the case.

SO ORDERED. This 11 day of December 2019.



JAMES C. DEVER III
United States District Judge